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The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

Letter dated 23 October 2007 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

Israel continues to occupy Arab territories, including the Syrian Golan, in flagrant defiance of international law and the Charter of the United Nations and in contravention of numerous resolutions adopted by the Security Council and the General Assembly of the United Nations in this regard. All of the actions of the Israeli occupation forces in the occupied Syrian Golan, and in the occupied Arab territories in general, represent a flagrant violation of the standards of international law and international humanitarian law.

In a recent violation of the provisions of international humanitarian law, the occupying Israeli authorities uprooted 150 cherry seedlings belonging to Mr. Salim Hamad 'Uwaydat from occupied Majdal Shams on the morning of Thursday, 27 September 2007. Mr. Salim 'Uwaydat went to his land in al-Hafa'ir in the morning to work on the land which he had planted approximately one year previously with cherry seedlings and was surprised to find that more than 150 of the cherry seedlings that he had planted had been uprooted completely.

As you are aware, the founding principles of international humanitarian law emphasize that the occupying forces must not in any way target civilian objects and the provisions of this law absolutely prohibit interference with such property and emphasize the responsibility of the occupying authorities to provide full protection for it. As Israel is the occupying Power and a contracting party to the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, it is

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therefore bound to apply the provisions of the Convention which stipulates in its article 53 that "Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited [...]." Article 147 of the same Convention also prohibits the destruction and appropriation of property not justified by military necessity by the occupying forces as grave breaches of the Convention. International humanitarian law also prohibits the destruction of crops that constitute a source of relief for the population and prohibits the starvation of civilians as a method of warfare. It also stipulates that it is prohibited to attack, destroy, remove or render useless [...] foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works [...] (Protocol I, chapter III, article 54).

The hostile actions and practices of Israel are contrary to the International Covenant on Economic, Social and Cultural Rights of 1996, which stipulates in its article 1 that "In no case may a people be deprived of its own means of subsistence." The policy of uprooting trees, which is systematically pursued by the occupying authorities through the office known as the Israeli Custodian of Abandoned Private Properties, is one way of putting pressure upon Syrian citizens to abandon their land so that it can be confiscated by the occupying authorities. However, the inhabitants of the occupied Golan have continued to demonstrate their determination and unremitting resolve to plant every inch of their land.

My delegation calls on you and, through you, on the United Nations, as the trustee for the application of international conventions and treaties, to put pressure upon Israel, the occupying Power, and prevail upon it to desist from these illegal and inhumane practices.

My country's delegation wishes the present letter to be circulated as an official document of the sixty-second session of the General Assembly under agenda items 17, 33 and 41, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative